

REMARKS

In view of the following remarks, the Examiner is requested to withdraw the rejections and allow claims 1-18, 20-48, the only claims pending and currently under examination following entry of the above amendments.

It is noted that Claims 1-17 and 20-45 have been found allowable, and that claims 47 and 48 have been indicated as being allowable if rewritten in independent form.

Claim 18 has been amended to further include a step of forwarding the array and medium from the fabrication device to a remote user. Support for this amendment is found at least at page 25, line 8, where a description is made of a remote customer receiving the fabricated array and medium. In addition, the title of the application has been amended as suggested by the Examiner. As no new matter is added by the above amendments, their entry by the Examiner is respectfully requested.

Drawings

While formal drawings have previously been submitted, enclosed please find another set of formal drawings for this application.

Title

The title of the application has been amended pursuant to the Examiner's suggestion.

Claim rejection under 35 U.S.C. § 112, 2nd ¶

Claim 18 has been rejected for use of the phrase "a memory." In view of the above amendment to Claim 18, it is believed that this rejection may be withdrawn.

Claim rejections under 35 U.S.C. § 103

Claims 18 and 46 have been rejected under 35 U.S.C. § 103(a) as assertedly being

obvious over Baldeschwieler in view of Weber.

With respect to the rejection of claim 18, it is believed that this rejection is based on the Examiner's equation of the "medium" of step (f) with the actual fabrication device, in view of the statement at the bottom of page 5 of the office action where it is stated that the "system descriptions in Weber et al. are reasonably mediums for the signals recorded thereon as thus physically associated with the printed substrate..."

Claim 18, as amended, now specifies that the fabricated array and medium are forwarded to a remote user, which amendment clarifies that the medium is separate from the array fabrication device. It is believed that claim 18 is clearly not obvious over the cited references.

With respect to claim 46, it is respectfully submitted that one of skill in the art would not be motivated to modify Baldeschwieler with the teaching of Weber to arrive at the claimed invention because the present invention solves a problem not appreciated by either Baldeschwieler or Weber.

Specifically, the present invention is directed to the problem in which the array pattern of a given array is different from the target array pattern according to which the array was fabricated due to errors arising during the manufacture process, which can cause issues with the usability of the array.

As such, it is desirable during the manufacture of an array to ensure that any discrepancy between an actual array pattern and the target array pattern according to which it was fabricated be kept at a minimum. Such is desirable so that, during use, one can know precisely where features of the array are located.

Baldeschwieler provides no teaching or suggestion, and therefore has no appreciation, of the problems that may arise from discrepancies between an actual and target drive pattern. Therefore, one using Baldeschwieler's teachings as a guide for producing arrays would not be motivated to go the extra step of correcting for errors so as to reduce discrepancies between the actual and target array pattern, because one would not appreciate that such discrepancies,

if present, would have any effect on the usability of the array. Accordingly, one would not be motivated to combine the teachings of Baldeschwieler with Weber to arrive at the invention of these claims because there would be no need to do so, as the specific problem that is solved by the invention was not appreciated by the prior art.

Accordingly, it is respectfully submitted that Claims 18 and 46 are not obvious under 35 U.S.C. § 103(a) over Baldeschwieler in view of Weber and that this rejection may be withdrawn.

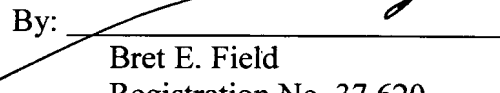
The Examiner is thanked for the acknowledgement of the allowability of claims 1-17 and 20-45.

CONCLUSION

The Applicants respectfully submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone Gordon Stewart at (650) 485 2386. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-1078.

Respectfully submitted,

Date: 4.27.04

By: 
Bret E. Field
Registration No. 37,620